



## **BOARD OF APPEAL UNDER THE ZONING BY - LAW BRAINTREE, MASSACHUSETTS**

### **REVISED AGENDA**

**May 26, 2009**

The following petitions will be heard by the Zoning Board of Appeals on Tuesday, May 26, 2009, at 7:00 p.m. at the DPW Administration Building, Lower Level, 90 Pond Street, Braintree, Massachusetts.

#### **APPROVAL OF MINUTES:**

Acceptance of minutes of Appeals Board Hearings April 28, 2009.

#### **OLD BUSINESS**

**#09-02** Metro PCS, 35 Roc Sam Park, Braintree, MA 02184 to be reheard at the May 26<sup>th</sup> Zoning Board of Appeals Meeting.

**#09-03** OMNI Point Communications, 25 Hayward Street, Braintree, MA 02184 to be reheard at the May 26<sup>th</sup> Zoning Board of Appeals Meeting.

#### **NEW PETITIONS**

**#09-13** Eileen Sullivan of 10 Portland Road, Braintree, MA 02184 for relief from Bylaw requirements under Article 4, Sections 135-403, 407 and Article 7, Section 701 to add a second story addition with two foot overhang in rear, add one-car garage to existing garage, add fireplace, front door overhang. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 10 Portland Road, Braintree, MA 02184 and is within a Residential B District as shown on Assessors Map 1099, Plot 36, and contains a land area of 8,103 +/- Sq. Ft.

**#09-14** Edith and Robert McGinn of 91 Plymouth Avenue, Braintree, MA 02184 for relief from Bylaw requirements under Article 4, Sections 135-403, 407 and Article 7, Section 701 to remove existing three season porch (8' x 12') and construct a 12' x 24' deck. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 91 Plymouth Avenue, Braintree, MA 02184 and is within a Residential B District as shown on Assessors Map 1078, Plot 63, and contains a land area of 10,000 +/- Sq. Ft.

- #09-15** Carl R. Johnson III, Attorney in Fact for Simon Property Group and Braintree Property Associates, L.P., c/o Simon Property Group, Inc. 225 West Washington Street, Indianapolis, IN 46204 for relief from Bylaw requirements under Article 4, Sections 135-403; Sections 135-407; Sections 135-701; Sections 135-701 Note (3), and Sections 135-904.2 Wall Signs to install new wall signage. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 250 Granite Street, Braintree, MA 02184 and is within a Highway Business District as shown on Assessors Maps 2089, Plot 22; 2039, Plot 93D; 2089, Plot 21 and contains a land area of 111.67 +/- acres.
- #09-16** Kathleen Barker representing St. Francis of Assisi Residence at Braintree seeks to modify three existing Comprehensive Permits "Independence Manor I, II, III" as approved pursuant to MGL Chapter 40B Section 20-23 by subdividing the subject property and seeking waivers from certain dimensional requirements of the Zoning By-laws Section 135-402, 403, 407, 701 and Article VIII – Parking. The petitioner requests minor modifications to the conditions, plans and findings of the approved Comprehensive Permits. The Board of Appeals pursuant to 760 CMR 56.05 (11) shall determine whether it deems the changes to be substantial or insubstantial with reference to factors set forth in 760 CMR 56.07(4) as they pertain to the properties at 41-53 Independence Avenue, Braintree, MA 02184 located within a Residential B district as shown on Assessors' Map 2068, Plot 3 (108,028+/- SF) and Plot 3A (40,685+/- SF).
- #09-17** Kathleen Barker representing St. Francis of Assisi Residence at Braintree seeks to modify three existing Comprehensive Permits "Independence Manor I, II, III" as approved pursuant to MGL Chapter 40B Section 20-23 by subdividing the subject property and seeking waivers from certain dimensional requirements of the Zoning By-laws Section 135-402, 403, 407, 701 and Article VIII – Parking. The petitioner requests minor modifications to the conditions, plans and findings of the approved Comprehensive Permits. The Board of Appeals pursuant to 760 CMR 56.05 (11) shall determine whether it deems the changes to be substantial or insubstantial with reference to factors set forth in 760 CMR 56.07(4) as they pertain to the properties at 41-53 Independence Avenue, Braintree, MA 02184 located within a Residential B district as shown on Assessors' Map 2068, Plot 3 (108,028+/- SF) and Plot 3A (40,685+/- SF).
- #09-18** Kathleen Barker representing St. Francis of Assisi Residence at Braintree seeks to modify three existing Comprehensive Permits "Independence Manor I, II, III" as approved pursuant to MGL Chapter 40B Section 20-23 by subdividing the subject property and seeking waivers from certain dimensional requirements of the Zoning By-laws Section 135-402, 403, 407, 701 and Article VIII – Parking. The petitioner requests minor modifications to the conditions, plans and findings of the approved Comprehensive Permits. The Board of Appeals pursuant to 760 CMR 56.05 (11) shall determine whether it deems the changes to be substantial or insubstantial with reference to factors set forth in 760 CMR 56.07(4) as they pertain to the properties at 41-53 Independence Avenue, Braintree, MA 02184 located within a Residential B district as shown on Assessors' Map 2068, Plot 3 (108,028+/- SF) and Plot 3A (40,685+/- SF).

